



DOL-OSHA Fax

*Occupational Safety and Health Administration
Baton Rouge Area Office*



9100 Bluebonnet Centre, Ste. 201

Baton Rouge, LA 70809-2985

Phone: 225-298-5458

Fax: 225-298-5457

To: TOM MILLER

From: DUTY OFFICER

Fax Number: 225-473-5988 Pages: 4

✓ **Phone Number:**

Dates:

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IF YOU RECEIVED THIS FAX IN ERROR, PLEASE CALL 225-298-5458

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.Occupational
Safety and Health
Administration

www.osha.gov

P. 92544 For Sheet 07.doc

EXHIBIT #

EPONENT



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U.S. Department of Labor

Occupational Safety and Health Administration
Baton Rouge Area Office
9100 Bluebonnet Centre Blvd.
Suite 201
Baton Rouge, LA 70809
Phone: (225) 298-5458 Fax: (225) 298-5457
<http://www.osha.gov>



May 25, 2012

Tom Miller
Larry Howard
E. I. Du Pont De Nemours And Company
Dupont Burnside Plant 3460 Hwy 44
Darrow, LA 70725

RE: OSHA Complaint No. 367927

Dear Employer:

On May 25, 2012 the Occupational Safety and Health Administration (OSHA) received a notice of (safety and/or health) hazards at your worksite at:

Dupont Burnside Plant
3460 Hwy 44
Darrow, LA 70725

We notified you, by telephone, of these alleged hazards on May 25, 2012.

The specific natures of the alleged hazards are as follows:

1. Employees are being exposed to sulfur dioxide and sulfur trioxide due to leaks from the plant. The measures taken to contain the leaks have been inadequate. 29 CFR 1910.1000

We have not determined whether the hazards, as alleged, exist at your workplace and we do not intend to conduct an inspection at this time. However, since allegations of violations and/or hazards have been made, we request that you immediately investigate the alleged conditions and make any necessary corrections or modifications. Please advise me in writing or by fax, no later than **June 2, 2012** of the results of your investigation. You must provide supporting documentation of your findings, including any applicable measurements or monitoring results, and photographs/video which you believe would be helpful, as well as a description of any corrective action you have taken or are in the process of taking, including documentation of the corrected condition.

This letter is not a citation or a notification of proposed penalty which, according to the Occupational Safety and Health Act, may be issued only after an inspection or investigation of the workplace. It is our goal to assure that hazards are promptly identified and eliminated. Please take immediate corrective action where needed. We encourage employee participation in investigating and responding to any alleged hazard. **If we do not receive a response from you**

by June 2, 2012, indicating that appropriate action has been taken or that no hazard exists and why, an OSHA inspection will be conducted. An inspection may include a review of the following: injury and illness records, hazard communication, personal protective equipment, emergency action or response, bloodborne pathogens, confined space entry, lockout, and related safety and health issues.

Please note, however, that OSHA selects for inspection some cases where we have received letters in which employers have indicated satisfactory corrective action. This is to ensure that employers have actually taken the action stated in their letters.

The State of Louisiana offers OSHA consultation services, without charge, to assist in resolving all occupational safety and health issues. The variety of services available or the scheduling of those services may be limited by the consultation project's requirement to give priority to small business in high hazard industries and by its backlog. However, you may be able to obtain similar services from your insurance carrier or private consultant in a more timely fashion. To discuss or request the services, call or write your consultation project at the following address:

State Consultation Agency
1001 North 23rd
Baton Rouge, LA 70802
Telephone Number: (225) 342-9601

You are requested to post a copy of this letter where it will be readily accessible for review by all of your employees and return a copy of the signed Certificate of Posting (Attachment A) to this office along with your response. Also, you are requested to provide a copy of this letter and your response to it to a representative of any recognized employee union or safety committee if these are at your facility. Failure to do this may result in an on-site inspection. The complainant has been furnished a copy of this letter and will be advised of your response. Section 11(c) of the OSH Act provides protection for employees against discrimination because of their involvement in protected safety and health related activity.

If you have any questions regarding this matter, please contact the Area Office at the address in the letterhead. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,


Dorinda J. Folse
Area Director

Enclosure